

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 27, 2006 (the "Office Action"). At the time of the Office Action, Claims 1-16 were pending in the Application. Claims 10-16 are allowed. The Examiner has rejected Claims 1-9. Applicants respectfully request reconsideration and favorable action in this case.

Allowable Subject Matter

Applicants appreciate the allowance of Claims 10-16 and the indication that Claim 1 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, second paragraph.

Section 112 Rejections

The Office Action rejects Claims 1-9 under 35 U.S.C. § 103(a) as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended Claim 1 by adding commas to more clearly recite the language attended. Claim 1 now recites "communicating, to the optical network, channels of the one or more source channels that do not interfere with any of the one or more network channels and preventing from communication, to the optical network, channels of the one or more source channels that interfere with any of the one or more network channels. Applicants respectfully request withdrawal of the rejection of Claims 1-9 and allowance of these claims.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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